

### **REMARKS**

The Examiner's continued attention to the present application is noted with appreciation.

Although Applicants' amendments to the claims in the after final response of August 28, 2007 were not officially entered, because they raised new issues, the Examiner nonetheless graciously considered Applicants' amendments in the Office Action of October 30, 2007. Because Applicants wish to have those amendments officially entered, this response presents those same amendments.

On page 2 of the Office Action, the Examiner stated that "[a]ll applied references including Limonius, Veazey, and Walsh et al. disclose portable power plants. . . [and that] [i]t's well known all vehicles have electrical outlets to operate many devices which can be mounted inside or outside of the vehicle, for example cigarette lighters, audio systems, DVD players, cell phones, air compressor to inflate tires and many other devices". This rejection is traversed, particularly as to Applicants' previously presented claims which recite the powering of a "fixed external structure". None of the devices cited by the Examiner are what anyone skilled in the art would regard as a "fixed external structure", as is claimed by Applicants. On the contrary, the entire purpose and function of such devices is that they are portable, and in fact would typically be transported in the very vehicles of the prior art references. Certainly, no one skilled in the art would ever consider a cigarette lighter or a cell phone to be a "fixed external structure". Webster's College Dictionary defines the term "fixed" as "attached or placed so as to be firm and not readily movable; stationary. . . and permanently placed". In contrast, that same dictionary defines the term "cellular telephone" as "a mobile telephone". Those skilled in the art, upon applying the ordinary meaning to the term "fixed", will readily appreciate that a "mobile" device is the antithesis of a "fixed" structure and in fact teaches away from Applicant's claimed invention, thus illustrating the patentability of Applicants' claims over such references. Applicant's claims, as previously presented, are thus allowable over the cited art. Because each of Applicants' independent claims 1 and 46 recite a "fixed external structure", both of Applicants' independent claims are allowable over the cited art.

As previously stated by Applicants in the prior response, Limonius is a car, so in order to render Applicants' claims obvious by using Limonius combined with Walsh et al., the car taught in Limonius would have to have an output for powering a fixed external structure and therefore could not be driven freely up and down the road. The intended purpose of the car taught in Limonius is for transportation, thus to

modify the car so it can have an output for powering a fixed external structure would render Limonius inoperable for its intended purpose. The same is true for Springett, which is a self-contained, self-sufficient computer bus. If Springett were modified to have an output for powering a fixed external structure, it would render the bus's principal operation, a mobile vehicle, inoperable for its intended purpose. Limonius and Springett cannot be modified to include an electrical outlet for powering fixed external structures because the modification would change the principal of their operation from being portable vehicles to becoming stationary vehicles that cannot be freely driven. Thus, neither Limonius nor Springett can be combined with Walsh et al. or Veazey to render Applicants' claims obvious.

The Examiner's attempted combination of the very different references changes the principle of operation of the prior art invention being modified. For example, in order for the vehicles of Limonius and Springett to be combined such that they result in Applicant's portable apparatus, they would have to lose their ability for a driver to drive them down a street. Because the principal of operation of the vehicles of Limonius and Springett are obviously to drive them down a street, and because both Limonius and Springett would each have to lose this principle of operation to result in Applicants' invention, the Examiner's novel combination of references is not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). In that case, the Court held that the "suggested combination of references would require a substantial reconstruction and redesign of the elements shown in [the primary reference] as well as a change in the basic principle under which the [primary reference] construction was designed to operate." 270 F.2d at 813, 123 USPQ at 352.

Still further, no person skilled in the art would ever combine the references because they relate to such disparate inventions. Walsh et al. discloses a multi-transport solar energy system that generates electricity from a stationary position. The Limonius electric vehicle generates electricity for the purpose of providing electrical power to the vehicle's electrical motor. One skilled in the art would not look to the regenerative auxiliary electrical power generating systems of Limonius to provide teaching for and thereafter combination with the modular solar energy system shown in Walsh et al. in order to provide the portable power assembly of the present invention. There is thus no motivation or suggestion to combine the references as suggested by the Examiner. The portable power assembly of the present invention includes a solar energy power system having at least one solar panel, a back-up generator, a fuel storage

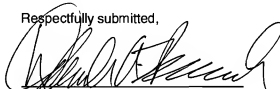
container, and batteries. In addition, the solar energy power system can power an external load. None of the cited references show or suggest, nor would it have been obvious to combine the references as noted above, in order to provide Applicant's portable power assembly or a method for providing portable, renewable energy as claimed by Applicants.

Because claims 4-8, 13-19, 36, 45, 48-49, 51, and 54-59 each depend, either directly or indirectly from Applicants' allowable independent claims 1 or 46, these dependent claims are also thus allowable.

In view of the above remarks, it is respectfully submitted that all grounds of rejection and objection have been traversed. It is believed that the case is now in condition for allowance and same is respectfully requested.

If any issues remain, or if the Examiner believes that prosecution of this application might be expedited by discussion of the issues, the Examiner is cordially invited to telephone the undersigned attorney for Applicant at the telephone number listed below.

Respectfully submitted,



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